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Intertrade Pacific SA, Ocean Prime Inc.,
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Capital*

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

ARKADIY DUBOVOY, et al.,

Defendants.

DOCKET NO.: 15-CV-06076 (MCA-MAH)

NOTICE OF CROSS-MOTION

ORAL ARGUMENT REQUESTED

HEARING DATE: SEPTEMBER 30, 2015

PLEASE TAKE NOTICE that on Wednesday, September 30, 2015 at 11:00 a.m., or such other date and time as the Court may prescribe, on the applications of the Plaintiff Securities and Exchange Commission (“SEC”) for the issuance of a preliminary injunction and such further relief, filed on August 10, 2015 and August 24, 2015, Defendants David Amaryan, Intertrade Pacific SA, Ocean Prime Inc., Copperstone Alpha Fund, and Copperstone Capital (collectively, the “Defendants”), through their undersigned attorneys, will cross-move before the Honorable Madeline Cox Arleo, at the United States District Court of New Jersey, Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, NJ 07101, for an Order pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure to dismiss the SEC’s Amended Complaint, with prejudice, for failure to state a claim against the Defendants.

The cross-motion is based upon the Declarations of David Amaryan, Dmitry Andreev, Daniel R. Fischel, David Papazian, Garnik Meliksetyan, and John Moscow, all dated September 16, 2015, and on the Memorandum of Law in Opposition to Plaintiff's Application for a Preliminary Injunction Against the Amaryan Defendants, and in Support of the Amaryan Defendants' Motion to Dismiss, dated September 16, 2015.

PLEASE TAKE FURTHER NOTICE that oral argument is respectfully requested.

Dated: New York, New York
September 16, 2015

BAKER & HOSTETLER, LLP

By: /s/ Margaret E. Hirce
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